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Via E-mail to roy.stewart@fcc.gov

Roy J. Stewart, Esq.
Senior Deputy Bureau Chief
Media Bureau
Federal Communications Commission
Washington, DC 20554

Dear Roy:

It was a pleasure seeing you again at the Michigan Association of Broadcasters' summer conference in Mount Pleasant. We briefly discussed my concerns about the transition to IBOC digital radio, and you mentioned that the Commission is currently trying to resolve what you indicated as the major remaining technical issue -- AM nighttime IBOC interference -- on the way to a Report and Order, hopefully later this year. I pointed out that there are serious unresolved technical issues on the FM side, most importantly first-adjacent interference caused by grandfathered super-powered commercial FM stations. You suggested that I send you more information on the issue, and said that you would check into the status of its consideration in Docket 99-325. I greatly appreciate your concern.

There are approximately 73 grandfathered super-powered commercial FM stations, all Class B and located in ten states of Zone I, with a majority in California. These stations all operate with significantly more power than the 50 kW/150 m HAAT limit for their class; they had that power before the current limits were adopted, and they were allowed to keep what they had. Because of their high power, they are causing, or will cause, interference to approximately 189 first-adjacent stations when they begin IBOC operation -- more interference than was assumed when the IBOC system was designed and approved by the Commission. The reason the interference is so bad is that IBOC signals are intentionally radiated on adjacent channels to the licensed analog channel. That means that the digital IBOC signals are actually co-channel to the analog signal of first-adjacent stations. No receiver can filter out co-channel interference.

My station, WHMI-FM, Howell, Michigan, has been required to tolerate grandfathered analog interference from WBCT, Grand Rapids, Michigan, since we first signed on the air in 1977. WBCT began digital IBOC operation two weeks ago, and now we are enduring the additional interference caused by their digital signal, which sits directly on our licensed analog channel. If something is not done, the final straw will be when



WHMI-FM tries to begin its own digital operation and will have to endure destructive interference from WBCT's analog signal, which will be co-channel to our digital signal. I would like to point out that WBCT is a Class B station, but it operates with 230 kW at 238 m HAAT – a full 12 dB above the Class B limit (that means sixteen times the normal power limit)!

These excessive power levels may have served a valid purpose 40 years ago, when rural America did not have its own local FM stations, and rural residents wanted to be able to pick up distant city stations. But today, local FM stations are on the air everywhere, in communities of all sizes; so grandfathered high power has long outlived its usefulness, even in the analog environment where it now causes more interference than it provides service. Grandfathered high power runs counter to the Commission's policy of promoting localism – and will be even more so in the digital environment. With IBOC digital operation, the transmission of overpowered digital first-adjacent signals is something that was not even contemplated, let alone intended, when grandfathering was first allowed. It will be a huge detriment to the smooth implementation of digital radio in the United States – certainly to 189 stations, including mine, that hope to make our own transition to digital successfully.

Through my attorney, Peter Tannenwald of Irwin, Campbell & Tannenwald, P.C., I have placed five filings into the record of Docket 99-325; I have included direct links to them below. They include descriptions of the issues (the first filing was made with KJLH in California, which has second-adjacent interference concerns); notices of meetings with Commission staff; a letter to Chairman Martin; and most importantly, a detailed engineering study – national in scope – done by Bob duTreil, Jr. at the consulting engineering firm of duTreil, Lundin, and Rackley. I own only one station, but I paid for all this work myself, without help from other broadcasters. I would not have borne the substantial costs of this national technical study, legal fees, and personal travel to Washington if I did not believe that the Commission really needs to address this serious concern.

WHMI-FM is an intensely local radio station. We are local and live 24/7, with news every hour. We are a Class A FM that provides service to only one county – Livingston – a square area, 24 miles on a side. Our slogan is "Livingston County's Own." We are the only radio station licensed to any community in the county, and the county depends on us for day-to-day local community, and also emergency, information. We look forward to the opportunities for additional local service that digital radio and its multiple program streams might provide, but not at the cost of our ability to provide a viable basic signal to the full area of Livingston County.

This interference issue has been ignored by the NAB and iBiquity Corporation. It seems that their only concern is to transition at breakneck speed to IBOC digital, flawed or not. And of course, the super-powered grandfathered stations are for the most part owned by the major national group owners, and they are not about to complain. My only hope for resolution is through the current proceedings at the Commission. I urge you and the Media Bureau staff to give this issue fair consideration.

Again, thank you for your concern. As this communication is more than a status request, it will be placed in the public record of Docket 99-325.

Sincerely,



Greg Jablonski, Pres. & Gen. Mgr.

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Original filing with Taxi Productions, June 16, 2004:

http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6516213875

Erratum correcting June 16 filing, June 18, 2004:

http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6516214145

Notice of meetings with Commission staff and initial study from dLR, September 8, 2004:

http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6516483296

Updated and final study from dLR, October 21, 2004:

http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6516753033

Letter to Chairman Martin, May 23, 2005:

http://gulfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6517614999